

REMARKS

Summary

Claims 1-27 were pending. Claims 1-5, 8-11, 16, 17 and 20-23 were rejected and Claims 6, 7, 12-15, 18, 19, and 24-27 were objected to in the Office action. Claims 2, 6, and 24-27 have been amended. Claims 1, 4, 5, and 8-11 have been cancelled without prejudice. Claims 2-3, 6-7 and 12-27 remain pending after entry of this amendment. No new matter has been introduced.

Objections

Claims 6, 7, 12-15, 18, 19 and 24-27 were objected to as being dependent on a rejected base claim, but the Examiner indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 6, and 24-27 have been amended to effect this, and Claim 7 depends on Claim 6. The Applicants respectfully request that the objection to these claims be withdrawn. Claims 12-15 and 18 and 19 remain dependent on Claim 2, which has been amended and which the Applicants respectfully submit is now allowable.

Rejections

35 U.S.C. § 102 (e)

Claims 1-3 were rejected under 35 U.S.C. § 102 (e) as being anticipated by Aschwanden (US 5,983,088). Claim 1 has been cancelled and Claim 2 has been amended to read, *inter alia*,

a second mixer which directly receives the local oscillation signal
and which mixes the received TV signalinto an intermediate-frequency signal
having a first frequency; and

a third mixer which receives an output of the second
programmable divider and which mixes the received TV signal and an output of
the second programmable divider and frequency converts the received TV signal

into an intermediate-frequency signal having ... having a frequency band lower than the first frequency band.

In contrast, Aschwanden teaches an oscillator having "two output signals of quadrature phase ... which are useful in direct conversion tuners".(Id. col. 5, lines 38-39) It follows that the signals generated in accordance with the teaching of Aschwanden are both of the same frequency, differing only in that one is shifted in phase from the other by 90°, and both signals are output simultaneously. The mixers M1A and M1B shown in Fig. 6 of the reference have signal inputs of the same frequency, and the quadrature phase oscillator signal is of the same frequency as the input signal. These features are not found in the arrangement of Claim 2.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir 1984) (citing Connell v. Sears Roebuck & Co. 722 F.2d 1542 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Since not all of the elements of Claim 2 and the arrangement thereof are shown in the reference, the amended claim is allowable.

35 U.S.C. § 103 (a)

Claims 8-11 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Aschwanden. Claims 4, 5, 16, 17 and 20-23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Aschwanden in view of prior art Fig. 3 discussed in the background of the present application. Claims 8-11 have been cancelled, rendering the first of the rejections moot.

Claims 4, 5, 16, 17 and 20-23 are dependent on amended Claim 2, which the Applicants respectfully submit is allowable and are allowable, without more, as claims dependent on an allowable base claim.

Conclusion

Claims 2-3, 6-7, and 12-27 are pending. Claims 1, 4-5 and 8-11 have been cancelled.

For at least the reasons given above, the Applicants respectfully submit that the pending claims are allowable and request that a Notice of Allowance issue.

The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,



Anthony P. Curtis, Ph.D.
Registration No. 46,193
Agent for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200